



CRL OP(MD). No.580 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/02/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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Subbiah ... Petitioner/Accused

Vs

State of Tamilnadu Rep. by,
The Inspector of Police,
Thoothukudi Police Station,
Thoothukudi District.
Crime No.45 of 2025.

... Respondent/Complainant

For Petitioner : KA.Raamakrishnan,
Advocate.

For Respondent : Mr.S.S.Manoj,
Government Advocate (Crl.Side)

For Intervenor/Defacto
Complainant :Mr.T.Karthikeyan

PRAYER :-

C-38AB. For Anticipatory Bail in Crime No.45 of
2025 on the file of the Respondent Police

ORDER : The Court made the following order :-



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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 316(2), 316(5), 316(4), 338, 336(3), 340(2) of BNS 2023, [corresponding sections 406, 409, 408, 467, 468 & 471 of IPC], in Crime No.45 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there is a money transaction between the petitioner and the defacto complainant and the petitioner caused a financial loss to the defacto complainant to the tune of Rs.1,04,40,938/-. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that already the defacto complainant has filed a case under Section 138 of Negotiable Instruments Act, for which the petitioner has received summons. Further, the petitioner is ready and willing to abide by any



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conditions which may be imposed by this Court.

Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate(Crl. side) opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, and considering the nature of offence and already a case is pending in this regard, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Thoothukudi District, within a period of fifteen days from the date on which the order copy is made ready and on further conditions



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that:

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[a]the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m, for a period of two weeks and thereafter as and when required;

[c]the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[d]the petitioner shall not abscond either during investigation or trial;

[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions



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have been imposed and the petitioner is released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

18.02.2026

PJL

TO

1. Judicial Magistrate No.IV, Thoothukudi District.
2. The Inspector of Police,
Thoothukudi Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY, J

PJL

ORDER
IN
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